

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. :

CRIMINAL NO. 2:20-cr-200-RBS(s)

TEVA PHARMACEUTICALS USA, :

INC. and GLENMARK :

PHARMACEUTICALS INC., USA :

**ORDER TOLLING SPEEDY TRIAL ACT AND VACATING TRIAL DATE AND
SCHEDULING ORDER**

The joint motion of the United States and defendant Glenmark Pharmaceuticals Inc., USA (“Glenmark”) for a continuance pursuant to 18 U.S.C. § 3161(h)(2), and to vacate the trial date and scheduling order, is hereby granted. Pursuant to Title 18, United States Code, Section 3161(h)(2), and in light of the Deferred Prosecution Agreement (“DPA”) between defendant Glenmark and the United States, the trial date set for this matter and the scheduling order are vacated, and the prosecution and trial against Glenmark of the charge in the Second Superseding Indictment is hereby deferred until whichever of the following events occurs first:

1. The United States makes a final determination that Glenmark has breached the DPA, as defined in the DPA, and the United States elects, consistent with the DPA, to prosecute Glenmark on the Second Superseding Indictment, in which event the United States will request that this case be returned to the Court’s calendar; or

2. In the sole discretion of the United States, the United States concludes that Glenmark is in full compliance with all of its obligations under the DPA, and the United States, within 30 days after the later of Glenmark paying in full the penalty set forth in the DPA or three years after the date the DPA was filed, files a motion with the Court seeking the dismissal with prejudice of the Second Superseding Indictment against Glenmark.

The period of time outlined above shall be excluded in computing the time within which

the trial of any such offense must commence, pursuant to 18 U.S.C. § 3161(h)(2).

It is so ordered, *nunc pro tunc*, effective the 13th day of September, 2023 at Philadelphia, Pennsylvania.

s/ R. Barclay Surrick

HON. R. BARCLAY SURRICK
UNITED STATES DISTRICT JUDGE